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NOV 13 2012

Board of Vocational Nursing
and Psychiatric Technicians

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**BEFORE THE
BOARD OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

Case No. PT 2010-3735

RAHEEL HAMEED
1316 E. Citrus Avenue
Redlands CA 92374

A C C U S A T I O N

Psychiatric Technician License No. PT 32712

Respondent.

Complainant alleges:

PARTIES

1. Teresa Bello-Jones, J.D., M.S.N., R.N. (Complainant) brings this Accusation solely in her official capacity as the Executive Officer of the Board of Vocational Nursing and Psychiatric Technicians, Department of Consumer Affairs (Board).

2. On or about May 10, 2005, the Board issued Psychiatric Technician License No. PT 32712 to Raheel Hameed (Respondent). The Psychiatric Technician License was in full force and effect at all times relevant to the charges brought herein and will expire on April 30, 2013, unless renewed.

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1 of the conviction. The board may inquire into the circumstances surrounding the
2 commission of the crime in order to fix the degree of discipline.

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4 "(d) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the
5 violation of, or conspiring to violate any provision or terms of this chapter [the Psychiatric
6 Technicians Law].

7

8 "(f) Conviction of any offense substantially related to the qualifications, functions, and
9 duties of a psychiatric technician, in which event the record of the conviction shall be conclusive
10 evidence of the conviction. The board may inquire into the circumstances surrounding the
11 commission of the crime in order to fix the degree of discipline. . . ."

12 **REGULATORY PROVISION**

13 8. California Code of Regulations, title 16, section 2578 states, in pertinent part:

14 "For the purposes of denial, suspension, or revocation of a license pursuant to Division 1.5
15 (commencing with Section 475) of the Business and Professions Code, a crime or act shall be
16 considered to be substantially related to the qualifications, functions or duties of a licensed
17 psychiatric technician if to a substantial degree it evidences present or potential unfitness of a
18 licensed psychiatric technician to perform the functions authorized by his license in a manner
19 consistent with the public health, safety, or welfare. . . ."

20 **COST RECOVERY**

21 9. Section 125.3 provides that a Board may request the administrative law judge to
22 direct a licensee found to have committed a violation or violations of the licensing act to pay a
23 sum not to exceed the reasonable costs of the investigation and enforcement of the case.

24 **FIRST CAUSE FOR DISCIPLINE**

25 **(Conviction of Substantially Related Crime)**

26 10. Respondent is subject to disciplinary action under sections 490 and 4521, subdivision
27 (f), in conjunction with California Code of Regulations, title 16, section 2578, on the grounds of
28 unprofessional conduct, in that Respondent was convicted of a crime substantially related to the

1 qualifications, functions or duties of a licensed psychiatric technician which to a substantial
2 degree evidences his present or potential unfitness to perform the functions authorized by his
3 license in a manner consistent with the public health, safety, or welfare, as follows:

4 a. On or about August 30, 2011, after pleading nolo contendere, Respondent was
5 convicted of one misdemeanor count of violating Vehicle Code section 23152(b) (drive with an
6 equal to or greater than 0.08% blood alcohol content (BAC)), in the criminal proceeding entitled
7 *The People of the State of California v. Raheel Hameed* (Super. Ct. San Bernardino County,
8 2011, No. TSB1101471). The Court sentenced Respondent to 15 days jail, placed him on 36
9 months probation, and ordered him to complete a Multiple Offender Alcohol Program.

10 b. The circumstances underlying the conviction are that on or about March 1, 2011,
11 Respondent drove a vehicle while having a tested BAC of 0.117/0.109%.

12 **SECOND CAUSE FOR DISCIPLINE**

13 **(Dangerous Use of Alcohol)**

14 11. Respondent is subject to disciplinary action under section 4521, subdivision
15 (a)(5), on the grounds of unprofessional conduct, in that on or about March 1, 2011, Respondent
16 used alcoholic beverages to an extent or in a manner dangerous or injurious to himself or others.
17 Complainant refers to and by this reference incorporates the allegations set forth above in
18 paragraph 10, as though set forth fully.

19 **THIRD CAUSE FOR DISCIPLINE**

20 **(Alcohol Related Conviction)**

21 12. Respondent is subject to disciplinary action under section 4521, subdivision (a)(6), on
22 the grounds of unprofessional conduct, in that on or about August 30, 2011, Respondent was
23 convicted of a crime involving the consumption of alcoholic beverages. Complainant refers to
24 and by this reference incorporates the allegations set forth above in paragraph 10, as though set
25 forth fully.

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1 **FOURTH CAUSE FOR DISCIPLINE**

2 **(Unprofessional Conduct)**

3 13. Respondent is subject to disciplinary action under section 4521, subdivision (a), in
4 that Respondent committed acts of unprofessional conduct. Complainant refers to and by this
5 reference incorporates the allegations set forth above in paragraphs 10 - 12, inclusive, as though
6 set forth fully.

7 **DISCIPLINE CONSIDERATIONS**

8 14. To determine the degree of discipline, Complainant alleges that on or about April 20,
9 2007, the Board issued Respondent a Notice of Warning letter regarding his 2006 conviction for
10 driving under the influence of alcohol, which states that "[f]uture substantiated reports that you
11 have engaged in similar behavior or otherwise violated the law or regulations governing your
12 practice as a psychiatric technician may result in disciplinary action against your license." The
13 facts regarding Respondent's 2006 conviction are as follows:

14 a. On or about May 23, 2006, after pleading guilty, Respondent was convicted of
15 one misdemeanor count of violating Vehicle Code section 23152(b) [drive with an equal to or
16 greater than 0.08% BAC] in the criminal proceeding entitled *The People of the State of California*
17 *v. Raheel Hameed* (Super. Ct. San Bernardino County, 2006, No. TSB119685). The Court placed
18 Respondent on three (3) years probation, and ordered him to complete a First Offender Alcohol
19 Program.

20 b. The circumstances underlying the conviction are that on or about January 24,
21 2006, Respondent drove a vehicle while having a tested BAC of 0.11/0.12%.

22 **PRAYER**

23 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
24 and that following the hearing, the Board issue a decision:

25 1. Revoking or suspending Psychiatric Technician License No. PT 32712, issued to
26 Raheel Hameed;

27 2. Ordering Raheel Hameed to pay the Board the reasonable costs of the investigation
28 and enforcement of this case, pursuant to section 125.3; and

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3. Taking such other and further action as deemed necessary and proper.

DATED: **NOV 13 2012**



TERESA BELLO-JONES, J.D., M.S.N., R.N.
Executive Officer
Board of Vocational Nursing and Psychiatric Technicians
Department of Consumer Affairs
State of California
Complainant

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